

**GENERAL FOOD HYGIENE REGULATIONS 2004  
FOOD HYGIENE (ENGLAND) REGULATIONS 2006  
OFFICIAL FEED AND FOOD CONTROLS (ENGLAND)  
REGULATIONS 2007  
FOOD SAFETY ACT 1990**

**FOOD SAFETY**

**ENFORCEMENT POLICY**

**Contents:**

**Enforcement Policy**

|          |   |
|----------|---|
| <b>1</b> | <b>General</b>                          |
| <b>2</b> | <b>Decision Making - Authorisations</b> |
| <b>3</b> | <b>Enforcement Options</b>              |
| <b>4</b> | <b>Informal Action</b>                  |
| <b>5</b> | <b>Statutory Notices</b>                |
| <b>6</b> | <b>Prosecution</b>                      |
| <b>7</b> | <b>Simple Cautions</b>                  |

## **ENFORCEMENT POLICY**

### **1 GENERAL**

#### 1.1 Statement of Aims and Objectives

##### 1.1.1 Aim

To improve and maintain standards of food safety and quality

##### 1.1.2 Service Objectives

The main objectives of the service are:

- To prevent illness resulting from food and waterborne diseases
- To assist consumers in achieving a healthy diet by avoidance of contaminated, adulterated or poor quality food
- To ensure consumers have access to accurate information to make informed choices
- To protect business from economic disadvantage caused by competitors not complying with Food Safety legislation
- To help business find the most effective way of complying with Food Safety legislation and to facilitate access to appropriate training
- To work with other local authorities and agencies to provide effective and uniform enforcement
- To support the anti poverty and social inclusion policies of the Council
- To work within budgets and maximise all opportunities for income generation

#### 1.2 Determination of Enforcement Policy

All types of enforcement action will be based upon an assessment of the risk to public health and not constitute a punitive response to minor technical contraventions of legislation. 'Risk to public health' is defined as "the probability of harm to health occurring due to non-compliance with food safety law".

The “principles of good enforcement” laid down in the Regulators Compliance Code will be followed to ensure enforcement activity:

- ❑ Will be to allow, or even encourage economic progress and only to intervene when there is a clear case for protection
- ❑ Is based on comprehensive risk assessment to concentrate resources in the areas that need them most
- ❑ Should provide authoritative advice easily and cheaply
- ❑ Should not take place without a reason
- ❑ Does not require businesses to give unnecessary information or give the same piece of information twice
- ❑ Identify quickly businesses that persistently break regulations, and ensure they face proportionate and meaningful sanctions

Is accountable for the efficiency and effectiveness of its activities while remaining independent in the decisions they take

### 1.3 Food Standards Agency and LACORS (Local Authorities Co-ordinators of Regulatory Services)

The Council resolve to comply with the Food Law Code of Practice (England) and associated guidance issued under Section 40 of the Food Safety Act 1990, Regulation 24 of the Food Hygiene (England) Regulations 2006 and Regulation 6 of the Official Feed and Food Controls (England) Regulations 2007 and to support the guidance on enforcement matters issued by LACORS. An intervention strategy of inspections and partial inspections as outlined in Operational Procedure 156 Interventions into Food Premises under the Food Hygiene (England) Regulations 2006 (excluding approved premises)

### 1.4 Authorised Officers

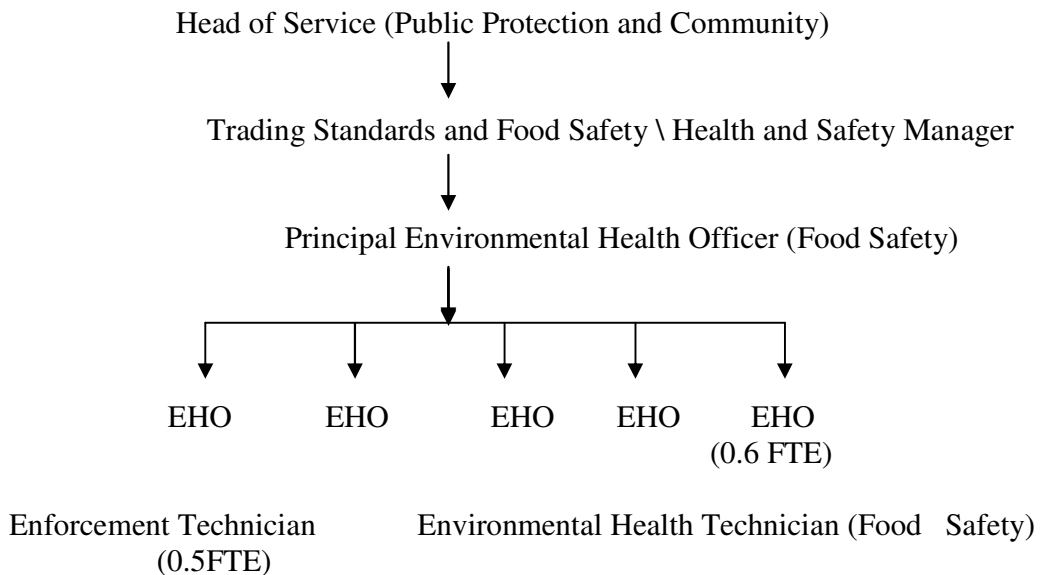
- (i) All officers are authorised in accordance with their qualifications by the Head of Service (Public Protection and Community) under the Council’s Scheme of Delegation.
- (ii) All authorised officers of the Council will abide by this enforcement policy when carrying out their enforcement duties. Any departure from this policy must be referred to the appropriate manager. Departure from the policy must be exceptional, capable of justification and be fully considered before the decision is taken, unless it is considered that there is significant risk to the public in delaying the decision.
- (iii) All authorised officers will be appraised of the requirements of this policy through team meetings. The policy will be available to each authorised officer on the Shared Drive of the office computer system.

- (iv) Compliance with the enforcement policy by authorised officers will be assessed through management verification systems (see Inspection Policy).

### 1.5 Training

All authorised officers will receive relevant training to enable them to carry out the requirements of the enforcement policy.

### 1.6 Food Safety Team Structure



All officers have shared enforcement responsibilities with other functions.

### 1.7 Management Controls

- (a) Decision to Prosecute/Simple Caution

Recommendation of relevant authorised officer in conjunction with a Principal Environmental Health Officer and Trading Standards and Food Safety \ Health and Safety Manager in conjunction with Legal Services

- (b) Service of Hygiene Emergency Prohibition Notices

Environmental Health Officers and Environmental Health Technician (Food Safety) (Higher Certificate in Food Premises Inspection holder).

(See paragraph 5.9), where appropriate following consultation with a Principal Environmental Health Officer or Environmental Health Officer with over two years experience in food safety work.

(c) Service of Hygiene Improvement Notices

Environmental Health Officers for all premises and Environmental Health Technician (Food Safety) (Higher Certificate in Food Premises Inspection holder). All Hygiene Improvement Notices to be verified before service by Principal Environmental Health Officer or Environmental Health Officer with over two years experience in food safety work.

(d) Detention of Food Notices (Food Safety 1990) and Product Of Animal Origin (POAO) Notices etc

Environmental Health Officers (See paragraph 5.9), where appropriate following consultation with a Principal Environmental Health Officer or Environmental Health Officer with over two years experience in food safety work.

(e) Remedial Action Notices / Detention Notices (premises subject to approval under EC Regulation 853/2004)

Environmental Health Officers authorised to inspect approved premises (See paragraph 5.9), where appropriate following consultation with a Principal Environmental Health Officer or Environmental Health Officer with over two years experience in food safety work.

1.8 Quality Assurance Procedures

Operational procedures in respect of Food Safety Enforcement matters will be audited and reviewed on a regular basis.

1.9 Review

This enforcement policy will be reviewed on an annual basis.

**2 DECISION MAKING - AUTHORISATIONS**

2.1 Prosecutions and Simple Cautions

The Unit Manager and where necessary in consultation with Legal Services will institute legal proceedings in connection with the enforcement of the provisions of the Food Safety Act 1990, The General Food Regulations 2004, the Food Hygiene (England) Regulations 2006 and the Official Feed and Food Controls (England) Regulations 2007

## 2.2 Service of Hygiene Emergency Prohibition Notices

All authorised officers (see paragraph 5.9b). A Principal Environmental Health Officer or Environmental Health Officer with over two years experience must where possible verify the notice. (See paragraph 5.8)

## 2.3 Service of Hygiene Improvement Notices

All authorised officers (see paragraph 5.9b). A Principal Environmental Health Officer or Environmental Health Officer with over two years experience must verify the notice. (See paragraph 5.8)

## 2.4 Detention of Food Notices (Food Safety 1990) and POAO Notices etc

All authorised officers (see paragraph 5.9b). A Principal Environmental Health Officer or Environmental Health Officer with over two year's experience must where possible verify the notice. (See paragraph 5.8)

## 2.5 Remedial Action Notices / Detention Notices (premises subject to approval under EC Regulation 853/2004)

All authorised officers (see paragraph 5.9b). A Principal Environmental Health Officer or Environmental Health Officer with over two years experience must where possible verify the notice. (See paragraph 5.8)

## 2.6 Inspection of Premises

Approved Premises: Environmental Health Officers (who have received relevant training)

Groups A, B, C, D, E: Environmental Health Officers and Environmental Health Technician (Food Safety) (Higher Certificate in Food Premises Inspection holder).

In line with Food Law Code of Practice (England) Chapter 1.2 Qualifications and Experience

# 3 ENFORCEMENT OPTIONS

- 3.1 Enforcement decisions need to be balanced, fair, consistent and taken on a risk based approach and relate to common standards that ensure the public is adequately protected, and in line with the principles of the Regulators Compliance Code in providing effective and well targeted regulation.
- 3.2 The Council is committed to achieving and maintaining consistency in its approach to enforcement action within the Authority and also between Local Authorities.
- 3.3 The adherence to the Food Law Codes of Practice (England) and associated guidance, LACORS advice and guidance issued by the Cheshire Food Safety Group is important in achieving this goal.
- 3.4 Decision-making will involve the consideration of various criteria, ie
  - Seriousness of the offence
  - The enterprise's past history
  - Confidence in management
  - Availability of due diligence defence
  - Home or originating authority report
  - Consequence of non-compliance
  - Likely effectiveness of the various enforcement options
- 3.5 The choices for action are:
  - Take no action
  - Take informal action orally or written
  - Use statutory notices
  - Use simple cautions
  - Prosecute
- 3.6 Where a premises is non-compliant in accordance with the provisions of the Food Law Code of Practice (England) appropriate enforcement action must be taken to ensure compliance
- 3.7 Where an enforcement action is inconsistent with that adopted by other authorities, or contrary to advice issued by LACORS the matter will be referred to the Cheshire Food Safety Group. If a consensus view cannot be achieved or the issue appears to be of national significance, the group will refer the matter to LACORS for consideration by the Food Safety Panel.
- 3.8 Enforcement action will be discussed with the home or originating authority of an enterprise particularly where the action being considered is contrary to the advice of the home or originating authority. Where necessary issues, which cannot be resolved, should be referred to the LACORS Food Safety Panel (LACOTS Chief Officer Circular FS 4 94 March 1994).

- 3.9 Guidance on the food safety management procedure requirement of the Regulations emphasises that where critical controls do not exist appropriate action must be taken. What is appropriate will depend on the circumstances, but the action must be effective so that the necessary controls are implemented immediately to ensure food safety.

The officer must make a judgement on what is considered appropriate, justifiable and effective in the context of securing satisfactory controls and monitoring at critical points.

An informal approach that does not include a formal action procedure may be appropriate if the officer is satisfied it will be effective.

Where an informal approach is considered appropriate, the informal action must be confirmed in writing to record the seriousness of the lack of control, the need to maintain all controls at critical points and the likely enforcement outcome (formal) should maintenance of these controls not be undertaken.

In extreme cases, where there is an imminent risk of injury to health, the officer should consider using a Hygiene Emergency Prohibition Notice, or Remedial Action Notice in premises subject to approval..

- 3.10 Where the food business operator of the food business is the Council, any breaches of food law must be brought to the attention of the appropriate Head of Service and if considered serious the Chief Executive.
- 3.11 Revisit inspections will be carried out in accordance with the requirements of the Food Law Code of Practice (England) Section 4 Inspections, Chapter 4.2 The Inspection. (See Intervention Policy)

## **4 INFORMAL ACTION**

- 4.1 Informal action includes the following:

- Offering advice
- Verbal warnings and requests for action
- Letters
- Food hygiene inspection reports
- Voluntary closure

Reference the Food Law Code of Practice (England) Section 3 General Enforcement Chapter 3.1 Approach to Enforcement.

- 4.2 Informal action may be appropriate in the following circumstances:

- (a) The act or omission is not serious enough to warrant formal action.
  - (b) The past history of the individuals or enterprise's record of compliance indicates that informal action will achieve the required result.
  - (c) The enforcing officer has a high level of confidence in the management of the enterprise.
  - (d) The consequence of non-compliance will not pose a significant risk to public health.
  - (e) Special circumstances, e.g. enterprises operated wholly by voluntary organisations.
- 4.3 An intervention report will be issued following all programmed inspections, even when conditions are found to be entirely satisfactory. (See Intervention Procedure).
- 4.4 Written informal documentation must comply with the required format (See Inspection Procedure) and contain:
- (a) All the information the food business operator needs to understand what work is required and why it is necessary
  - (b) An indication of the regulations contravened, measures, which will enable compliance with the legal requirements, and that other means of achieving the same effect may be chosen.
  - (c) A clear indication of any recommendations of good hygiene practice, for example under an appropriate heading, to show that they are not a legal requirement.

(Reference to the Food Law Code of Practice (England) Section 3  
General Enforcement Chapter 3.1 Approach to Enforcement)

- 4.5 In all communications, both written and verbal, it is essential to differentiate between legal requirements and matters that are recommended as good hygiene practice.

## **5 STATUTORY NOTICES**

The following section deals with the service of Hygiene Improvement Notices and Hygiene Emergency Prohibition Notices. Service of Detention of Food, POAO, Remedial Action and Detention Notices will be in accordance with the appropriate Operational Procedure.

## **HYGIENE IMPROVEMENT NOTICES**

5.1 The Food Law Code of Practice (England) Section 3 General Enforcement Chapter 3.2 Hygiene Improvement Notices / Improvement Notices gives detailed guidance on the factors which should determine the enforcement approach and authorised officers must ensure they are aware of these and must follow the guidance.

5.2 When to use Hygiene Improvement Notices

The use of Hygiene Improvement Notices is appropriate in any of the following circumstances or combination thereof:

- (a) Where formal action is proportionate to the risk to public health;
- (b) Where there is a record of non-compliance with breaches of the food hygiene regulations;
- (c) Where the authorised officer has reason to believe that an informal approach will not be successful.

5.3 When Not to Use Hygiene Improvement Notices

The Hygiene Improvement Notice procedure would not be appropriate in the following circumstances:

- (a) Where the contravention might be a continuing one, for example personal cleanliness of staff, and a notice would only secure an improvement at one point in time
- (b) In transient situations, and it is considered that swift enforcement action is needed, for example a one day festival or sporting event. A Hygiene Emergency Prohibition Notice would be the only formal remedy, which would have immediate effect
- (c) Where there is a breach of good hygiene practice but no failure to comply with an appropriate regulation.

5.4 Who Should Sign a Hygiene Improvement Notice?

- (a) All authorised officers.

- (b) Hygiene Improvement Notices must be verified by a Principal Environmental Health Officers before service or Environmental Health Officer with over two years experience in food safety work. (See Inspection Procedure).
- (d) The issue of a Hygiene Improvement Notice is a significant step in a legal process. Consequently inappropriate or wrongful service of a Notice could result in a court making an order for costs against the Council, authorised officers must therefore have sufficient evidence to justify their issue.
- (f) Notices to be drafted in accordance with LACORS advice "Guidance on Drafting Improvement Notices".

#### 5.5 Service of the Notice

Service must be in accordance with the Food Law Code of Practice (England) Section 3 General Enforcement Chapter 3.2 in particular:

- (a) Realistic time limits must be placed on notices preferably agreed with the food business operator as attainable and appropriate.
- (b) The authorised officer should discuss with the food business operator the works that will be specified and consider the solutions that will be available.
- (c) Where English is not the first language of the business proprietor, the officer should ensure that the legal consequences of failing to comply with the Notice are understood. A practical way of ensuring this is to include the "Untranslated Food Safety Act Material - Legal Implications Guidance Note" (See Inspection Procedure).
- (d) In all cases a covering letter will be sent with notices, drawing attention to the appeals provisions (See Inspection Procedure).
- (e) If considered appropriate, details of the notices should be sent to the Home Authority.

#### 5.6 Action on Non Compliance

- (a) Failure to comply with a Hygiene Improvement Notice must be referred for consideration of instituting legal proceedings in accordance with paragraph 6 (Prosecution).

## **HYGIENE EMERGENCY PROHIBITION NOTICES**

### **5.7 When to Use Hygiene Emergency Prohibition Notices**

The Food Law Code of Practice (England) Section 3 General Enforcement Chapter 3.3 Prohibition Procedures gives detailed guidance and must be followed. The use of Hygiene Emergency Prohibition Notices should be considered where an authorised officer has evidence that the health risk condition is fulfilled; the following paragraphs provide examples of circumstances that may show the health risk condition as defined, and those in which an authorised officer may consider the use of prohibition procedures, (these examples are in no way prescriptive or exhaustive and are for illustrative purposes only)

#### **PREMISES**

- (a) Infestation by rats, mice, cockroaches, birds or other vermin, serious enough to result in the actual contamination of food or a significant risk of contamination;
- (b) Very poor structural condition and poor equipment and/or poor maintenance or routine cleaning and/or serious accumulations of refuse, filth or other extraneous matter resulting in the actual contamination of food or a significant risk of food contamination
- (c) Drainage defects or flooding of the establishment, serious enough to result in the actual contamination of food or a significant risk of food contamination
- (d) Premises or practices which seriously contravene food law and have been or are implicated in an outbreak of food poisoning;
- (g) Any combination of the above, or cumulative effect of contraventions which, taken together, represent the fulfilment of the health risk condition.

#### **EQUIPMENT**

- (a) Use of defective equipment e.g. a pasteuriser incapable of achieving the required pasteurisation temperature;
- (b) Use of equipment for the processing of high risk food that has been inadequately cleaned or disinfected or which is grossly contaminated and can no longer be properly cleaned.

#### PROCESS

- (a) Serious risk of cross contamination;
- (b) Failure to achieve sufficiently high processing temperatures;
- (c) Operation outside critical control criteria, for example, incorrect pH of a product which may allow *Clostridium botulinum* to multiply;
- (d) The use of a process for a product for which it is inappropriate.

#### 5.8 Verification of Hygiene Emergency Prohibition Action

- (a) In all cases contact with the Principal Environmental Health Officer (Food Safety) or Environmental Health Officer with over two years experience in food safety work should where practical be made to discuss the individual merits of the case.
- (b) Where practical, the officer contacted should immediately visit the premises in question to support the officer and to provide corroboration.
- (c) If contact cannot be made, the officer should proceed with the issue of the notice.
- (d) Telephone numbers out of hours are provided. This list must be kept in the 'Emergency Notices Pack'.

#### 5.9 Who Should Sign Hygiene Emergency Prohibition Notice

- (a) All authorised officers.
- (b) Where newly qualified officers are employed they will not be authorised to serve Emergency Prohibition Notices for a period of at least two years.

#### 5.10 Issue of a Hygiene Emergency Prohibition Notice

- (a) Before issue, the officer/s must be satisfied that sufficient evidence is available to support the issue of the notice. This would include:
  - (a) Detailed contemporaneous notes
  - (b) Sketches
  - (c) Photographs (see Prosecution)
  - (d) Samples, for example insects, rodent bodies or droppings, dirt or other contaminants
- (b) The standard phrases designed to be used in most Hygiene Emergency Prohibition Notice scenarios must be consulted in drafting the notice to ensure legality.
- (c) Where possible, the Hygiene Emergency Prohibition Notice should be drafted in consultation with the Principal Environmental Health Officer or Environmental Health Officer with over 2 years experience. However, there will be cases where this is not possible. The Hygiene Emergency Prohibition Notices contained in the 'emergency pack' should be used.
- (d) A copy must be fixed in a conspicuous position, where it can be clearly seen by the public.

#### 5.11 Seeking Additional Advice

Where necessary, the authorised officer should consider the use of outside experts, e.g. Public Analyst, Health Protection Agency. However it is the Officer who must be satisfied that the health risk condition is fulfilled.

#### 5.12 Application for Hygiene Emergency Prohibition Order

Once the Emergency Prohibition Notice has been issued, an application for an Emergency Prohibition Order must be made in conjunction with Legal Services within three working days.

#### 5.13 Notification to Other Bodies

Where appropriate, the Home Authority should be advised of any formal action taken by the enforcing authority and its outcome.

## **6 PROSECUTION / SIMPLE CAUTION**

In determining what type of action is appropriate in individual cases the checklists provided in Operational Procedure. 602 Preparation and Processing of Prosecution Reports should be used to determine informal / formal and where the decision is formal whether prosecution / simple caution.

### **6.2 Circumstances, which are likely to warrant prosecution**

- (a) Where the alleged offence involves a flagrant breach of the law, such that public health, safety or well being is or has been put at risk.
- (b) Where the alleged offence involves a failure by the suspected offender to correct an identified serious potential risk to food safety having been given a reasonable opportunity to comply with the lawful requirements of an authorised officer.
- (c) Where the offence involves a failure to comply in full or part with the requirements of a statutory notice.
- (e) Where there is a history of similar offences related to risk to public health.

### **6.3 Decision to Prosecute**

- (a) Where circumstances are identified which may warrant a prosecution by an authorised officer, all relevant evidence must be considered to enable a consistent, fair and objective decision to be made.
- (b) The authorised officer, on making a recommendation to prosecute, must refer to the Principal Environmental Health Officer and Trading Standards and Food Safety \ Health and Safety Manager (refer to Management Controls 1.8(a) Decision to Prosecute / Simple Cautions).
- (c) If the officer's recommendation is approved, evidence must be gathered or collated to satisfy the requirements for a prosecution.

### **6.4 Codes of Practice**

Guidance contained in the Food Law Code of Practice (England) Section 3 General Enforcement Chapter 3.1 Approach to Enforcement must be followed, those factors to be considered include:

- (a) The seriousness of the alleged offence
  - \* The risk or harm to public health
  - \* Identifiable victims
  
  - \* Failure to comply with a Statutory Notice served for a significant breach of legislation
  - \* Disregard of public health for financial reward
- (b) The previous history of the party concerned
  - \* Offences following a history of similar warnings
  - \* Failure to respond positively to past warnings
  - \* Failure to comply with Statutory Notices
- (c) The likelihood of the defendant being able to establish a due diligence defence
- (d) The ability of any important witnesses and their willingness to cooperate
- (e) The willingness of the party to prevent a recurrence of the problem
- (f) The probable public benefit of a prosecution and the importance of the case e.g. whether it might establish a legal precedent.  
Advice on the public interest is contained in the Code for Crown Prosecutions. The general advice is, the graver the offence the less likelihood there will be that the public interest will allow anything other than a prosecution.
- (g) Whether other action, such as issuing a 'Simple Caution' in accordance with Home Office Circular 30/2005 The Cautioning of Offenders (see 7 Simple Cautions) or a Hygiene Improvement Notice or imposing a prohibition, would be more appropriate or effective. (It is possible in exceptional circumstances to prosecute as well as issue a notice; failure to comply with a notice would be an additional offence)
- (h) Any explanation offered by the Company or the suspected offender, LACORS guidance recommends that suspected offenders are invited to offer an explanation before prosecution decisions are made.

## 6.5 Evidence

- (a) Before a prosecution proceeds, the responsible officer must be satisfied that there is relevant, admissible, substantial and reliable evidence that an

identifiable person or company has committed an offence. Evidence must be collected in accordance with the Police & Criminal Evidence Act 1984, Criminal Procedures & Investigations Act 1996 and Regulation of Investigatory Powers Act 2000.

- (b) Evidence should include
  - \* Detailed contemporaneous notes
  - \* Witness statements
  - \* Sketches
  - \* Photographs - both Digital and Video cameras are available for use. It is important to ensure continuity of photographic evidence (see Inspection Procedure)
  - \* Samples - for example insects, rodent bodies/droppings, dirt or other contaminants
  - \* Examination or analytical certificates
- (c) There must be a realistic prospect of conviction; a bare prima facie case is not enough. With insufficient evidence to prosecute, other types of formal action, such as formal cautioning, are not alternatives.

#### 6.6 Referral for Legal Proceedings

Once an authorised officer is of the opinion that legal proceedings may be appropriate (see paragraph 1.8(a)) discussions will then ensue with Legal Services (see paragraph 2.1 Prosecutions and Simple Cautions).

#### 6.8 Issue of a Hygiene Prohibition Order by a Court

A Court must impose a Hygiene Prohibition Order following certain prosecutions if it is satisfied that the health risk condition is fulfilled. The authorised officer and legal representatives must, if the health risk condition is still fulfilled at the hearing date, inform the Court of such and ask for the making of a Hygiene Prohibition Order.

#### 6.7 Notification of Other Bodies

Other bodies which should be advised of prosecutions include

Home and/or Originating Authority (LACOTS FS 3/94)  
CIEH - Prohibitions on persons

## 7 SIMPLE CAUTIONS

### 7.1 Purpose

- (a) The purpose of the simple caution is:
  - \* To deal quickly and simply with less serious offences
  - \* To divert less serious offences away from Court
  - \* To reduce the chances of repeat offences
- (b) Guidance on the use of formal cautions is given in the Home Office Circular 30/2005 and LACORS information.

### 7.2 Conditions of Use

- (a) The following conditions should be fulfilled before a caution is administered:
  - \* There must be sufficient evidence to give a realistic prospect of conviction
  - \* The suspected offender must admit the offence
  - \* The suspected offender must understand the significance of a simple caution and give an informed consent to being cautioned
- (b) If there is insufficient evidence to consider taking a prosecution, then by implication the conditions are not satisfied for the use of a simple caution.
- (c) It is also inappropriate to use the simple caution where the suspected offender does not make a clear and reliable admission of the offence.
- (d) There is no legal obligation for any person to accept the offer of a simple caution and no pressure should be applied to the person to accept the caution.
- (e) Where a person declines the offer of a simple caution, it will be necessary to consider taking alternative action. Whilst the first consideration should be prosecution this is not inevitable, for example it may be felt that a written warning would be appropriate.

### 7.3 Decision to Issue Simple Caution

- (a) See 1.8 Management Controls and 2.1 Prosecutions and Simple Cautions.
- (b) The decision making process detailed in Prosecution (See paragraph 6) should be followed.

### 7.4 Issuing a Formal Caution

- (a) The 'Delegated Officer' for issuing a simple caution is the Trading Standards and Food Safety \ Health and Safety Manager.
- (b) Generally speaking, a simple caution should be administered in person although it may occasionally be possible to administer a simple caution by post.
- (c) Standard documentation should be used (See operational procedure)

### 7.5 Notification of Other Bodies

Other bodies, which should be advised of a simple caution, include:

Home and/or Originating Authority (LACOTS FS 3/94)